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26 UNITED STATES DISTRICT COURT

27 NORTHERN DISTRICT OF CALIFORNIA

28 IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION.

Case No. 4:22-MD-03047-YGR

MDL 3047

This Document Relates to:

4:22-CV-05987-YGR

4:22-CV-06495-YGR

**UNOPPOSED MOTION FOR LEAVE
TO FILE FIRST AMENDED
COMPLAINTS**

Plaintiff Brittany Stoudemire, as natural mother of her minor children, D.D. and J.D., by and through her undersigned counsel, respectfully files the instant Unopposed Motion for Leave to file First Amended Complaints regarding individual Case Nos. 4:22-CV-05987-YGR (J.D.) and 4:22-CV-06495-YGR (D.D.), and in support thereof, alleges as follows:

1 1. This Motion for Leave is being filed pursuant to Federal Rule of Civil Procedure 15
2 and this Court's Local Rules, including but not limited to L.R. 7 *et seq.*, particularly L.R. 7-11.

3 2. Opposing counsel for the current defendants in the above suits have been contacted
4 regarding the instant Motion for Leave and do not oppose the relief requested herein.

5 3. For the reasons that follow, Plaintiff respectfully requests this Court *grant* the instant
6 Motion for Leave, accepting the proposed First Amended Complaints being filed therewith and
7 deeming same filed as of the date of this Court's granting of said Motion.

8 4. Pursuant to Rule 15 and the undersigned's review of this Court's Local Rules, it is
9 at least arguable this Motion for Leave is a necessary prerequisite to the filing of the proposed
10 Amended Complaints attached hereto, notwithstanding that responsive pleadings have not yet been
11 filed by the named Defendants therein (such that Rule 15 would typically provided for amendment
12 of the original complaints as a matter of right).

13 5. Nevertheless, to the extent "good cause" or some other showing is necessary,
14 Plaintiff submits that such cause exists because investigation of Plaintiff's claims has revealed other
15 necessary parties that must be added as Defendants. Plaintiff's Complaints were filed while the
16 JPML hearing was pending in this matter, thus, at a time where it was unclear whether actions
17 against "Non-META" entities would have to proceed in separate litigation. Furthermore, the full
18 extent of Plaintiff's children's "mixed" social media use (and, thus, likely damages caused not just
19 by Meta's fault but also the non-Meta entities' fault) was not initially known to the undersigned.
20 Promptly upon becoming aware of facts that indicated use of these other entities' products likely
21 caused and/or substantially contributed to Plaintiff's harms, the undersigned began preparing the
22 enclosed proposed First Amended Complaints. Aside of adding substantive allegations against, in
23 J.D.'s case, Google/YouTube entities, Snap entities, and TikTok entities, and in D.D.'s case,
24 Google/YouTube entities and TikTok entities, there are no changes to Plaintiff's original
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1 Complaints (other than fixing some minor typographical/grammatical/style/mis-citation errors that
2 were caught in the process).

3 6. Further, Plaintiff submits that the Amended Complaints should be allowed in the
4 interest of justice and that allowing them at this juncture will not impede or delay this action or
5 otherwise prejudice the parties in any way. This suit is in its early goings, Defendants have not yet
6 had to file responsive pleading and “join in issue” per se, discovery remains stayed at this time and
7 this Motion is being filed promptly upon undersigned’s counsel’s investigation of and becoming
8 aware of all necessary parties-Defendant herein. That is, there has been no “undue delay” in filing
9 the instant Motion for Leave.
10

11 7. Plaintiff is mindful of the fact that this Court has ordered one or more Master
12 Complaints be prepared by the combined Plaintiffs’ leadership/counsel and that such efforts are
13 currently underway. Plaintiff intends to adopt these Master Complaints, as same is appropriate, at
14 a later time. However, Plaintiff files this Motion for Leave at this time in an abundance of caution
15 simply because it appears prudent to not delay in naming all necessary party defendants – preparing
16 Master Complaints in complex litigation such as this could take a matter of months and, while it is
17 Plaintiff’s belief all claims against all Defendants named in the proposed First Amended
18 Complaints enclosed herewith are timely and will remain so, Plaintiff must presume such issues as
19 applicable statutes of limitations and how they might affect individual plaintiff’s claims will
20 eventually come into some dispute in this litigation. As such, Plaintiff seeks to file the proposed
21 First Amended Complaints enclosed herewith at the earliest possible juncture.
22

23 8. For the above and foregoing reasons, Plaintiff respectfully prays this Court *grant*
24 the instant Motion for Leave, accept the proposed First Amended Complaints filed therewith, deem
25 same filed as of the date of this Court’s granting of said Motion, and further direct service of process
26 upon the additional Defendants named therein in accordance with this Court’s previous orders.
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1 DATED: November 17, 2022

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2
3 By: 

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12
13 **RULE 5-5 CERTIFICATE OF SERVICE**

14 I HEREBY CERTIFY that the above and foregoing has this date been served on all counsel
15 of record in this proceeding by CM/ECF Notice this the 17th day of November, 2022.

16
17 
18 Marc J. Mandich